

Declaration of  
C. Burne  
05/12/03

PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)	John F. McGeever Jr.	Examiner:	Daniel T. Pihulic
Serial No.:	09/683,102	Group Art Unit:	3662
Confirmation No.:	7839	Docket:	1342-2
Filed:	November 19, 2001	Dated:	April 28, 2003
For:	Method and Device for Underwater Diver Navigation		

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

*I hereby certify this correspondence is being deposited  
with the United States Postal Service as first class mail,  
postpaid in an envelope, addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria,  
Virginia 22313-1450 on April 28, 2003*  
Signature: Nicole Susperre

DECLARATION UNDER 37 C.F.R. §1.131

Sir:

I, John F. McGeever, Jr., declare and say:

RECEIVED

MAY 08 2003

GROUP 3600

1. I am the sole inventor of the above-identified patent application directed to a method and device for underwater diver navigation.
2. I have reviewed the Office Action dated January 27, 2003, and the references cited therein.
3. I conceived and reduced to practice the invention set forth in the claims of my application prior to March 30, 2001 which is the earliest filing date that can be accorded to cited U.S. Patent Publication No. 2002/01405992 to King ("King").

Applicant: John F. McGeever Jr.  
Application Serial No.: 09/683,102  
Filing Date: November 19, 2001  
Docket No.: 1342-2  
Page 2

4. My invention is set forth in a Disclosure attached hereto in Exhibit A. This disclosure was submitted to the United States Patent and Trademark Office under the Disclosure Document Program and is dated prior to March 30, 2001. The dates and the Disclosure document number on the document have been redacted.

5. The Disclosure document particularly describes and shows the claimed invention. Specifically, the disclosure describes a method and apparatus for underwater diver navigation including an underwater GPS system having a submergible capsule that houses a handheld GPS unit. The capsule which may be formed from an acrylic tube is attached via a link of marine grade cable to a float unit. The float unit houses a spring loaded cable reel and an external GPS antenna and a power source electronics package and dive flag. The float unit remains on the surface of the water as the diver and GPS capsule descend below the water's surface.

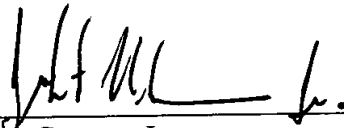
6. The Disclosure document further shows that the capsule which may be in the form of an acrylic tube includes a cap which the marine grade cable extends. A water type pass through is included to prevent water from entering the capsule. The instrument platform which floats on the water includes a closed cell polyurethane float and a spring loaded cable reel to control the flow of the marine grade cable. An antenna box is located on top of the float.

Applicant: John F. McGeever Jr.  
Application Serial No.: 09/683,102  
Filing Date: November 19, 2001  
Docket No.: 1342-2  
Page 3

7. After the invention was conceived, I diligently reduced the invention to practice. This involved sourcing parts, building a prototype and successfully testing the prototype for its intended purpose. This all occurred prior to March 30, 2001.

8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made under information and belief are believed to be true, and that those statements were made with the knowledge that willfully false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued therefrom.

Dated: 04-14-03

  
\_\_\_\_\_  
John F. McGeever, Jr.